

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION**

SHAUNTELL BURTON and on behalf of
those similarly situated,

Plaintiffs,

vs.

NATIONAL ASSOCIATION OF
REALTORS, KELLER WILLIAMS, LLC,
and KELLER WILLIAMS REALTY, INC.,

Defendants.

Civil Action No.: 7:23-cv-05666-JD

**LOCAL RULE 26.01 INTERROGATORY
RESPONSES BY DEFENDANT
NATIONAL ASSOCIATION OF
REALTORS**

Defendant National Association of REALTORS® (“NAR”) hereby submits the following Interrogatory Responses pursuant to Local Civ. Rule 26.01 (D.S.C.) in the above-captioned case.

- A. State the full name, address, and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of that interest.

RESPONSE: None.

- B. As to each claim, state whether it should be tried jury or nonjury and why.

RESPONSE: Plaintiff has demanded a jury trial, and Defendants are entitled to a jury trial under the Seventh Amendment to the Constitution of the United States.

- C. State whether the party submitting these responses is a publicly owned company and separately identify (1) any parent corporation and any publicly held corporation owning ten percent (10%) or more of the party’s stock; (2) each publicly owned company of which it is a parent; and (3) each publicly owned company in which the party owns ten percent (10%) or more of the outstanding shares.

RESPONSE: NAR is a trade association. This interrogatory is not applicable.

- D. State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division). See Local Civ. Rule 3.01 (D.S.C.).

RESPONSE: At this time, NAR does not challenge the appropriateness of the division. NAR understands that Plaintiff will amend his Complaint and reserves the right to amend its responses to these interrogatories accordingly.

- E. Is this action related in whole or in part to any other matter filed in this district, whether civil or criminal? If so, provide (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases that may be related regardless of whether they are still pending. Whether cases are related such that they should be assigned to a single judge will be determined by the clerk of court based on a determination of whether the cases arise from the same or identical transactions, happenings, or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.

RESPONSE: No.

- F. [Defendants only.] If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

RESPONSE: The correct identification of NAR includes its registered collective membership mark, REALTORS®, which does not appear in the complaint. NAR has already agreed to a briefing schedule for Plaintiff's amended complaint and will accept service of same.

- G. [Defendants only.] If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of their liability.

RESPONSE: Plaintiff alleges a conspiracy involving numerous persons and entities not named as Defendants. NAR contests the existence of such a conspiracy as well as its participation in any conspiracy. But each other alleged co-conspirator, if named as a Defendant here, would be jointly and severally liable as a matter of law if Plaintiff succeeded in establishing the existence of the conspiracy and that alleged conspirator's knowing participation in that conspiracy.

- H. Parties or Intervenor in a Diversity Case. In an action in which jurisdiction is based on diversity under 28 U.S.C. § 1332(a), a party or intervenor must, unless the court orders otherwise, name – and identify the citizenship of – every individual or entity whose citizenship is attributed to that party or intervenor. This response must be supplemented when any later event occurs that could affect the court's jurisdiction under § 1332(a).

RESPONSE: This interrogatory is not applicable.

December 11, 2023

Respectfully submitted,

s/Alice W. Parham Casey

Alice W. Parham Casey (Fed ID 9431)

WYCHE, P.A.

807 Gervais Street, Ste 301

Columbia, SC 29201
Phone: 803-254-6542
Email: tcasey@wyche.com

Henry L. Parr, Jr. (Fed ID 2984)
Rachael L. Anna (Fed ID 12591)
WYCHE, P.A.
200 E. Broad Street, Ste 400
Greenville, SC 29601
Phone: 864-242-8200
Email: hparr@wyche.com
ranna@wyche.com

*Attorneys for Defendant National
Association of REALTORS®*